

REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register: 18 October 1999
Name of applicant/court: The District Court at Auckland
Applicant to the Labelling Body: Not Applicable
Title of Publication: EatMe 09
Other Known Titles: Photos\Hoskioki\EatMe\EatMe 09
Director: Not Applicable
Producer: Not Applicable
Publisher: Not Applicable
Author: Not Applicable
Format: Computer Image File
Country of Origin: Not Applicable
Language: Not Applicable

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Components of film originally examined: Not Applicable.

Feature: Running time:
Trailers: Running time:
Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The computer image file entitled *EatMe 09*, also known as *Photos\Hoskioki\EatMe\EatMe 09*, is classified as:
Objectionable.

The computer image file promotes and supports the exploitation of children for sexual purposes, deeming the publication objectionable. The image explicitly depicts two girls positioned so as to display their genitals in a manner designed to titillate the viewer.

The publication is a computer image file of a colour photograph. The image is accessed from a Jaz disk formatted for an AppleMac computer. The title is typed across the top of the screen.

The photograph depicts a girl, who appears to be about ten to twelve years old, sitting on top of a second pre-pubescent girl. Both girls are positioned with their legs apart and their genitals towards the viewer. The second girl is partially hidden by the first girl who is at the forefront of the image. The first girl's genitals are being splayed by an adult who is reaching in from the left of the image. Apart from socks the girls are naked.

The publication has been found to promote and support an activity listed in s3(2) of the Films, Videos, and Publications Classification Act 1993. This provision overrides s14 of the New Zealand Bill of Rights Act 1990 (NZBR Act) because it is a deeming provision which cannot be given a meaning that is consistent with the rights and freedoms set out in that section of the NZBR Act.

OFLC Ref: 9901237